

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY 19 2004

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JUN - 4 2004

ATTEST: *Felicia Cannon*
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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DOCKET NO. 1586

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**IN RE MUTUAL FUNDS INVESTMENT LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-5)

On February 20, 2004, the Panel transferred 91 civil actions to the United States District Court for the District of Maryland for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 210 additional actions have been transferred to the District of Maryland. With the consent of that court, all such actions have been assigned to the Honorable J. Frederick Motz, the Honorable Andre M. Davis, the Honorable Frederick P. Stamp, Jr., and the Honorable Catherine C. Blake.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the District of Maryland.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Maryland for the reasons stated in the order of February 20, 2004, ___ F.Supp.2d ___ (J.P.M.L. 2004), and, with the consent of that court, assigned to the Honorable J. Frederick Motz, the Honorable Andre M. Davis, the Honorable Frederick P. Stamp, Jr., and the Honorable Catherine C. Blake.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Maryland. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is pending at this time, the stay is lifted.

JUN - 4 2004

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

I hereby attest and certify on my official docket that the foregoing document is a full, true and correct copy of the original on file in my office and in my legal custody.

FELICIA C. CANNON
CLERK, U. S. DISTRICT COURT
DISTRICT OF MARYLANDMichael J. Beck
Clerk of the PanelBy *Felicia Cannon* Deputy

**SCHEDULE CTO-5 - TAG ALONG ACTIONS
DOCKET NO. 1586
IN RE MUTUAL FUNDS INVESTMENT LITIGATION**

DISTRICT DIV. C.A.#

MASSACHUSETTS

MA	1	03-12514	04-1750	Oliver S. Trone v. MFS Capital Opportunities Fund, et al.
MA	1	03-12515	04-1751	Delores B. Manson, etc. v. Massachusetts Financial Services Co., et al.
MA	1	03-12520	04-1752	David Shaev v. Massachusetts Financial Services Co.
MA	1	03-12536	04-1753	Danielle Adams, et al. v. MFS Capital Opportunities Fund, et al.
MA	1	03-12545	04-1754	Steven Greenberg v. Massachusetts Financial Services Co., et al.
MA	1	03-12570	04-1755	Jacob Elephant, et al. v. Massachusetts Financial Services Co., et al.
MA	1	03-12595	04-1756	Zachary Alan Starr, etc. v. Massachusetts Financial Services Co., et al.
MA	1	03-12622	04-1757	Yakov Burstein, IRA, et al. v. MFS Global Telecommunications Fund, et al.
MA	1	03-12629	04-1758	Anita Walker v. Massachusetts Financial Services Co., et al.
MA	1	04-10009	04-1759	Albert Feldman v. Massachusetts Financial Services Co., et al.
MA	1	04-10010	04-1760	Ed Casey v. Massachusetts Financial Services Co.
MA	1	04-10252	04-1761	Hugh F. Boyd, III, et al. v. Massachusetts Financial Services Co., et al.
MA	1	04-10253	04-1762	Harold A. Berger v. Massachusetts Financial Services Co., et al.
MA	1	04-10315	04-1763	Catherine Dukes v. Columbia Acorn Fund, et al.
MA	1	04-10355	04-1764	AB Medical Equipment Corp. v. FleetBoston Financial Corp., et al.
MA	1	04-10408	04-1765	Lawrence S. Wick, et al. v. FleetBoston Financial Corp., et al.
MA	1	04-10434	04-1766	Diane Hutto, etc. v. Massachusetts Financial Services Co., et al.
MA	1	04-10452	04-1767	Boris Fieldman, etc. v. Massachusetts Financial Services Co., et al.
MA	1	04-10534	04-1768	George Slaybe, et al. v. Columbia Management Adviros, Inc.
MA	1	04-10555	04-1769	David Armetta, etc. v. FleetBoston Financial Corp., et al.
MA	1	04-10556	04-1770	Todd Klein, etc. v. John A. Hill, et al.
MA	1	04-10557	04-1771	Steven Wiegand, etc. v. John A. Hill, et al.
MA	1	04-10567	04-1772	Edward I. Segel, et al. v. FleetBoston Financial Corp., et al.
MA	1	04-10603	04-1773	Luann K. Caprio v. Columbia Acorn Fund, et al.